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 PROPOSED ATTORNEYS FOR DEBTOR

**IN THE UNITED STATES BANKRUPTCY COURT  
 FOR THE EASTERN DISTRICT OF TEXAS  
 SHERMAN DIVISION**

**IN RE:**

**SUNRISE TRUCKING INC.,**

**Debtor.**

§  
§  
§  
§  
§

**CASE NO. 17-40860-btr**

**Chapter 11**

**REQUEST FOR EMERGENCY HEARING ON DEBTOR'S  
 EMERGENCY MOTION FOR APPROVAL OF POST-PETITION FINANCING**

COMES NOW SunRise Trucking Inc. ("Debtor"), Debtor in the above-captioned case, and filed this Request for Emergency Hearing on Debtor's Emergency Motion for Approval of Post-Petition Financing ("Request") and would respectfully show the Court as follows:

1. Concurrent with this Request, Debtor is filing its Emergency Motion for Approval of Post-Petition Financing ("Financing Motion").
2. As set forth in the Motion, Debtor is requesting the immediate entry of an order authorizing the Debtor to continue its Factoring and Security Agreement with Apex Capital Corp. on an interim basis to allow it to continue operations and pay the expenses on the budget attached thereto.
3. The Debtor's factoring agreement is necessary so that the Debtor can continue its operations as the Debtor has no other sources of financing available to it.

4. Accordingly, Debtor requests that the Court enter an order granting a hearing on its Financing Motion on an emergency basis, to be held as soon as practicable.

WHEREFORE, PREMISES CONSIDERED, Debtor requests that the Court enter an order granting Debtor a hearing on its Financing Motion on an emergency basis and shortening the required notice period for such hearing, and for such other and further relief, both at law and in equity, to which Debtor may show itself to be justly entitled to.

Dated: May 2, 2017.

Respectfully submitted,

/s/ Joyce W. Lindauer

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### **CERTIFICATE OF CONFERENCE**

I hereby certify that on May 2, 2017, my paralegal emailed Cassandra Knight of Apex Capital Corp. and Marc Salitore in the Office of the U.S. Trustee regarding the foregoing Request. At the time of filing this Motion we have not had a response from either Ms. Knight or Mr. Salitore.

/s/ Joyce W. Lindauer  
Joyce W. Lindauer

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on May 2, 2017, a true and correct copy of the foregoing document was served via email upon the parties listed below.

Cassandra Knight  
Apex Capital Corp.  
6000 Western Place, Suite 1000  
Fort Worth, TX 76107  
Email: [Cassandra.knight@apexcapitalcorp.com](mailto:Cassandra.knight@apexcapitalcorp.com)  
[aepink@apexcapitalcorp.com](mailto:aepink@apexcapitalcorp.com)

Marc F. Salitore  
Office of the U.S. Trustee  
110 N. College Avenue, Suite 300  
Tyler, TX 75702  
Email: [marc.f.salitore@usdoj.gov](mailto:marc.f.salitore@usdoj.gov)

/s/ Joyce W. Lindauer  
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<b>IN RE:</b>	§	
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<b>SUNRISE TRUCKING INC.,</b>	§	<b>CASE NO. 17-40860-btr</b>
	§	
<b>Debtor.</b>	§	<b>Chapter 11</b>

**AFFIDAVIT IN SUPPORT OF REQUEST FOR EMERGENCY HEARING ON  
 DEBTOR'S EMERGENCY MOTION FOR USE OF CASH COLLATERAL AND  
EMERGENCY MOTION TO PAY PRE-PETITION PAYROLL**

STATE OF TEXAS        )  
                                   )  
 COUNTY OF DALLAS    )

**BEFORE ME** the undersigned authority, on this day personally appeared the undersigned affiant, who by me sworn, under oath stated:

1. My name is Joyce Lindauer. I am over eighteen (18) years of age. I have never been convicted of a crime and am fully competent to make this Affidavit. I have personal knowledge of the facts stated herein and they are all true and correct.

2. I have read the *Request for Emergency Hearing on Debtor's Emergency Motion for Approval of Post-Petition Financing* ("Request") and make this affidavit in support of the same.

3. All of the facts stated in the Request are true and correct to the best of my knowledge.

Further Affiant Sayeth Not

EXECUTED this 2nd day of May, 2017.

/s/ Joyce Lindauer  
Joyce Lindauer

Subscribed and sworn to before me this 2nd day of May, 2017.

/s/ Dian Gwinnup  
Notary Public in and for the State of Texas  
Printed Name: Dian Gwinnup  
My Commission Expires: January 22, 2021